



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: Cassian Horowitz, former Head of Strategic Comms and Digital at No 10 Downing Street. Application to establish an independent consultancy.

1. Mr Horowitz sought advice from the Advisory Committee on Business Appointments (the Committee) under the government's Business Appointment Rules for former Crown servants (the Rules) on his proposal to establish an independent consultancy.
2. The purpose of the Rules is to protect the integrity of the government. The Committee has considered the risks associated with the actions and decisions made during Mr Horowitz's time in office, alongside the information and influence a former Crown servant may offer their consultancy and its clients. The material information taken into consideration by the Committee is set out in the annex.
3. The Committee's advice is not an endorsement of the appointment – it imposes a number of conditions to mitigate the potential risks to the government associated with the appointment under the Rules.
4. The Committee has advised that a number of conditions be imposed to mitigate the potential risks to the government associated with this work under the Rules; this does not imply the Committee has taken a view on the appropriateness of a former Head of Strategic Comms and Digital at No.10 setting up such a consultancy in any other respect.
5. The Rules¹ set out that Crown servants must abide by the Committee's advice. It is an applicant's personal responsibility to manage the propriety of any appointment. Former Crown servants are expected to uphold the highest

¹ Which apply by virtue of the Civil Service Management Code, The Code of Conduct for Special Advisers, The King's Regulations and the Diplomatic Service Code.

standards of propriety and act in accordance with the 7 Principles of Public Life.

The Committee's consideration of the risks presented

Consultancy

6. Mr Horowitz sought the Committee's² advice on establishing an independent digital communications and marketing consultancy. Mr Horowitz has explained that his consultancy will work *'with brands and CEOs on their online presence'*.
7. It would not be improper for Mr Horowitz to operate a consultancy which draws on generic skills and experience he gained from his time in Crown service. Notably, Mr Horowitz had a long career in communications before joining government. Given his former role as Head of Strategic Comms and Digital at No.10, he will have had oversight of a wide range of information and policy that may provide an unfair advantage to a broad range of organisations. There is a risk that Mr Horowitz's clients, particularly those in the digital sector, may be considered to gain from his privileged insight that is unavailable to its competitors.
8. The Cabinet office confirmed Mr Horowitz had access to a wide range of privileged information, particularly in the area of digital communications, which is the focus of this proposed consultancy. There are a number of factors that limit the risks associated with Mr Horowitz's access to information:
 - Mr Horowitz's role in office was not policy based – it was focused on the running of the Prime Minister's digital channels and the coordination of cross-government communications;
 - the area of focus of the independent consultancy is private businesses and their digital marketing strategies, not government marketing;
 - it has been over five months since Mr Horowitz left office, creating a gap between his access to information and establishing his independent consultancy; and
 - there has been a change in the government administration since Mr Horowitz advised on government communication strategies.
9. The Committee considered it significant that Mr Horowitz is continuing his career in digital communications and marketing. He told the Committee he possesses detailed technical knowledge in the above sectors prior to joining government. Despite these mitigating factors, there remain risks around Mr

² This application for advice was considered by Andrew Cumpsty; Hedley Finn OBE ;Sarah de Gay; Dawid Konotey-Ahulu CBE DL; The Rt Hon Lord Eric Pickles; Michael Prescott; The Baroness Thornton and Mike Weir. Isabel Doverty was unavailable.

Horowitz's privileged insight and influence that could be seen to offer an unfair advantage to future clients.

10. This advice provides Mr Horowitz consent only to set up a consultancy, subject to a number of conditions. It does not give him consent in relation to any possible future clients. He must seek advice in relation to each client, so that risks can be assessed and it will need to be demonstrated by him and the Cabinet Office that the work would be appropriate under the Rules.

Future commissions

11. Mr Horowitz must seek advice from the Committee for each commission he wishes to accept. Whether the conditions set out below can sufficiently mitigate the risks presented by any future commission he proposes to take up will depend on the specific details of each piece of work. Any failure to seek advice before accepting work would be a breach of the Rules and treated as such – including reporting breaches to the government.
12. The risks under the Rules will be most significant where Mr Horowitz seeks to provide advice on matters where he had insight or access to sensitive information in office – these applications will need close scrutiny. The Committee will want to carefully consider the suitability of this work. Where conditions cannot appropriately mitigate the risks, the Committee may advise the work is unsuitable³ to take up within the two years the Rules apply. The Committee will consider such risks on a case by case basis.
13. All potential clients must be notified of this advice, and when seeking work/new clients, Mr Horowitz must adhere to the conditions below. Under the government's Business Appointment Rules, the Committee advises that this **Independent Consultancy** should be subject to the following conditions:
 - he should not draw on (disclose or use for the benefit of himself or the persons or organisations to which this advice refers) any privileged information available to him from his time in Crown service;
 - for two years from his last day in Crown service, he should not become personally involved in lobbying the UK government on behalf of those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients), nor should he make use, directly or indirectly, of his contacts in the government and/or Crown service to influence policy, secure business/funding or otherwise unfairly advantage those he advises under his independent consultancy (including parent companies, subsidiaries, partners and clients);

³ Should an applicant subsequently take up or announce this work, ACOBA will publish relevant information.

- for two years from his last day in Crown service he should not provide advice to any company or organisation on the terms of, or with regard to the subject matter of, a bid or contract with, or relating directly to the work of the UK government; and
 - for two years from his last day in Crown service, before accepting any commissions for his independent consultancy and or/before extending or otherwise changing the nature of his commissions, he should seek advice from the Committee. The Committee will decide whether each commission is consistent with the terms of the consultancy and consider any relevant factors under the Business Appointment Rules.
14. The advice and the conditions under the government's Business Appointment Rules relate to your previous role in government only; they are separate from rules administered by other bodies such as the Office of the Registrar of Consultant Lobbyists, the Parliamentary Commissioner for Standards and the Registrar of Lords' Interests.⁴ It is an applicant's personal responsibility to understand any other rules and regulations they may be subject to in parallel with this Committee's advice.
15. By 'privileged information' we mean official information to which a minister or Crown servant has had access as a consequence of his office or employment and which has not been made publicly available. Applicants are also reminded that they may be subject to other duties of confidentiality, whether under the Official Secrets Act, the Ministerial Code/Civil Service Code or otherwise.
16. The Business Appointment Rules explain that the restriction on lobbying means that the former Crown servant/Minister "*should not engage in communication with Government (Ministers, civil servants, including special advisers, and other relevant officials/public office holders) – wherever it takes place – with a view to influencing a Government decision, policy or contract award/grant in relation to their own interests or the interests of the organisation by which they are employed, or to whom they are contracted or with which they hold office.*"
17. Mr Horowitz must inform us as soon as he takes up this work or if it is announced that he will do so. Similarly, he must inform us if he proposes to extend or otherwise change his role with the organisation as depending on the circumstances, it might be necessary for him to seek fresh advice.
18. Once this appointment has been publicly announced or taken up, we will

⁴ All Peers and Members of Parliament are prevented from paid lobbying under the House of Commons Code of Conduct and the Code of Conduct for Members of the House of Lords. Advice on obligations under the Code can be sought from the Parliamentary Commissioners for Standards, in the case of MPs, or the Registrar of Lords' Interests, in the case of peers.

publish this letter on the Committee's website.

Yours sincerely,

Jess Barrow

Committee Secretariat

Annex – material information

The role

1. Mr Horowitz proposes to establish an independent consultancy to target brands and CEOs. The consultancy will provide digital services including branding, social media content, websites and advertising. He is proposing to set up a digital content agency. Mr Horowitz said that tasks include:
 - Helping brands with their positioning. For example their tone of voice online, which social channels they should use and how they should present themselves.
 - Creating branding for business like logos or brand names. Helping them with their overall look and feel online.
 - Running social media accounts on an ongoing basis. This could include writing the words, creating graphics and posting on a variety of platforms like LinkedIn or X or TikTok
 - Creating large scale content like videos or digital advertising boards, helping to both come up with the ideas and produce the content.
 - Setting up websites including the design and the implementation as well as SEO.
 - Working with the creator community to introduce them to businesses and inviting them to events, organise interviews
 - Running paid digital ads across a variety of social media platforms as well as search.
 - Mr Horowitz said that he will not have contact with government.
2. Mr Horowitz's previous career focused exclusively on digital communications/marketing; this application may be seen as marking a return to that career.

Departmental assessment

3. The Cabinet Office said that, as senior Special Adviser in No.10, Mr Horowitz will have had access to a wide range of privileged information regarding the activities of the previous government. In particular, he worked in the area of digital communications, which is the focus of this proposed consultancy. The consultancy plans to offer digital communications skills to private businesses

– there is very little likelihood of any remaining privileged information that Mr Horowitz holds (bearing in mind the time elapsed since his departure from government, as well as the change in political leadership) being able to benefit or influence these activities.

4. The Cabinet Office said that Mr Horowitz could have been exposed to privileged information relating to the contracts between the department and digital communications firms but nothing that would be considered to provide Mr Horowitz with a competitive advantage. It does not appear that the company will be bidding for government business, which reduces the risk of any information the applicant may have been party to on the services offered to the government by other digital communications agencies.
5. The Cabinet Office recommended the standard conditions and said that, as this is a new consultancy firm and the client list is unknown, Mr Horowitz should return to ACOBA once clients are established on a case-by-case basis.